

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HASSAN GOLCHINI,
Plaintiff,

No. C-07-5471 EMC

v.

JEANY VALDEZ, *et al.*,
Defendants.

**CERTIFICATION RE PLAINTIFF'S
APPLICATION TO PROCEED IN
FORMA PAUPERIS ON APPEAL**


Previously, this Court issued an order in which it granted Plaintiff Hassan Golchini's application to proceed in forma pauperis but dismissed the complaint with prejudice. It appears that Ms. Golchini now wishes to appeal the Court's order to the Ninth Circuit and wishes to proceed in forma pauperis on appeal.

Under the Federal Rules of Appellate Procedure, "[a] party who was permitted to proceed in forma pauperis in the district court-action . . . may proceed on appeal in forma pauperis without further authorization unless . . . the district court -- before or after the notice of appeal is filed -- certifies that the appeal is not taken in good faith or finds that the party is not otherwise entitled to proceed in forma pauperis and states in writing its reasons for the certification or finding." Fed. R. App. P. 24(a)(3)(A). The Court hereby certifies that Mr. Golchini's appeal is not taken in good faith. As stated in the Court's order dismissing the complaint with prejudice, the factual allegations in the complaint are clearly baseless and fanciful.

1 The Court instructs the Clerk of the Court to provide a copy of this certification to the
2 Ninth Circuit and further instructs the Clerk to treat the papers filed by Mr. Golchini as a
3 notice of appeal. (Attached to Mr. Golchini's application to proceed in forma pauperis is what
4 appears to be his appeal brief.)

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6 IT IS SO ORDERED.

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8 Dated: January 11, 2008

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11 EDWARD M. CHEN
12 United States Magistrate Judge
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